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3 **UNITED STATES DISTRICT COURT**  
4 **EASTERN DISTRICT OF CALIFORNIA**  
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6 **JOHN PAUL FRANK SCHOWACHERT,**

7 **Plaintiff,**

8 **v.**

9 **KELLEY SANTORO, et al.,**

10 **Defendants.**

**CASE NO. 1:21-cv-01104-AWI-EPG (PC)**

**ORDER ADOPTING FINDINGS AND  
RECOMMENDATIONS, DISMISSING  
THIS ACTION AS DUPLICATIVE, AND  
DENYING IN FORMA PAUPERIS  
MOTION**

(Doc. No. 7)

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13 Plaintiff John Paul Frank Schowachert is proceeding pro se in this civil rights action filed  
14 under 42 U.S.C. § 1983. The matter was referred to a United States magistrate judge pursuant to  
15 28 U.S.C. § 636(b)(1)(B) and Eastern District of California Local Rule 302.

16 On July 21, 2021, Plaintiff filed the complaint commencing this action along with a motion  
17 to proceed in forma pauperis. Doc. Nos. 1 & 2. On July 22, 2021, the assigned magistrate judge  
18 entered findings and recommendations, recommending that this action be dismissed as duplicative  
19 of Schowachert v. Santoro, Case No. 1:21-cv-00947-GSA, and Schowachert v. Sorano, Case No.  
20 1:21-cv-00975-HBK, and that the motion to proceed in forma pauperis be denied as moot. Doc.  
21 No. 7. Those findings and recommendations were served on plaintiff and contained notice that  
22 any objections thereto were to be filed within fourteen days from the date of service. Id. at 4. To  
23 date, no objections have been filed and the time to do so has expired.

24 In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C), this Court has conducted a  
25 de novo review of the case. Having carefully reviewed the entire file, the Court concludes that the  
26 findings and recommendations are supported by the record and by proper analysis.

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**ORDER**

Accordingly, IT IS HEREBY ORDERED that:

1. The findings and recommendations (Doc. No. 7) entered on July 22, 2021, are ADOPTED in full;
2. This action is DISMISSED as duplicative of Schowachert v. Santoro, Case No. 1:21-cv-00947-GSA, and Schowachert v. Sorano, Case No. 1:21-cv-00975-HBK;
3. Plaintiff's motion to proceed in forma pauperis (Doc. No. 2) is DENIED as moot; and
4. The Clerk of Court is directed to CLOSE this case.

IT IS SO ORDERED.

Dated: August 30, 2021

  
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SENIOR DISTRICT JUDGE